

OCT 03 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

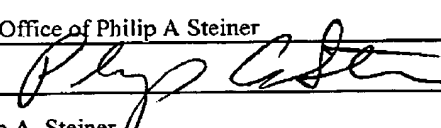
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/770,901	
	Filing Date	02/02/2004	
	First Named Inventor	Richard Ferdolage	
	Art Unit	3722	
	Examiner Name	Erica Cadugan	
Total Number of Pages in This Submission	2	Attorney Docket Number	UT02012004

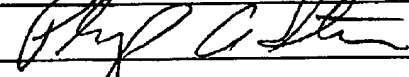
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration (s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CID, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CID	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Miscellaneous correspondence _____
Remarks Response to Examiner's correspondence of 05/24/2006.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Law Office of Philip A Steiner		
Signature			
Printed name	Philip A. Steiner		
Date	October 3, 2006	Reg. No.	47967

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Philip A. Steiner	Date	October 3, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED  
CENTRAL FAX CENTER**

**OCT 03 2006**

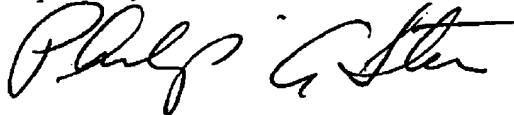
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard Ferdolage : Confirmation No.: 1091  
Serial No.: 10/770,901 (USP 7,069,632) : Group Art Unit: 3722  
Filed: 02/02/2004 : Examiner: Ms. Erica Cadugan  
Title: Coaxial and concentric cutting machine and method of use thereof  
Docket No.: UT02012004  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

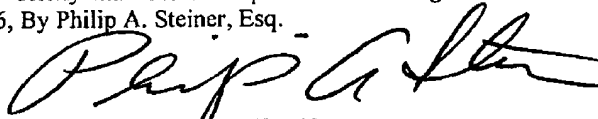
In response to Examiner Cadugan's correspondence dated 05/24/2006, applicant's representative misinterpreted the standardized text regarding the requirements for a response to the mutually agreed to Examiner's amendment of 04/03/2006. Applicant's response of 04/30/2006 was filed in the erroneous belief that a confirming set of claim amendments was requested based on the language of the standardize text. Applicant's amendment of 04/30/2006 was filed without deceptive intent.

Respectfully,



Philip A Steiner, Esq. Reg. No. 47967

I hereby certify that this correspondence is being transmitted to the USPTO by facsimile on this date of 10/03/06, By Philip A. Steiner, Esq.



Philip A. Steiner, Esq. Reg. No. 47,967  
(805) 549-8877 (Office) • (805) 549-8866 (Facsimile)  
PAS@SCIENTIALAW.COM